

**IN RE: THE FIRST UNION CORP.
SECURITIES LITIGATION,**

THIS MATTER is before the Court following receipt of a letter from the Defendants’ counsel, dated August 5, 2005, stating that since the Defendants’ “Motion to Dismiss Third Consolidated and Amended Class Action Complaint” (document #88) was filed and initially briefed, “significant cases have been decided,” and requesting that the Court allow further briefing of the Defendants’ motion.

Accordingly, the undersigned will allow the parties an opportunity to file additional briefs in support of or in opposition to the pending Motion to Dismiss, as ordered below.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The Defendants shall have until September 23, 2005 to file a Supplemental Brief in Support of their Motion to Dismiss.
2. The Plaintiffs shall have forty-five (45) days from receipt of the Supplemental Brief in Support of Defendants' Motion to Dismiss to file a Supplemental Brief in Opposition.
3. The Defendants shall have thirty (30) days from receipt of the Plaintiffs' Supplemental Brief in Opposition, if any, to file a Supplemental Reply Brief.
4. The Clerk is directed to send copies of this Order to counsel for the parties.

SO ORDERED.

Signed: August 8, 2005

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

